

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People v Frank Nali**
Docket No. **247843; 260267; 261559**
L.C. No. **02-013154-01**

Michael J. Talbot, Judge, acting under MCR 7.211(E)(2), orders:

The motion to consolidate these appeals is GRANTED TO THE EXTENT that the prosecutor's appeal from the re-sentencing in docket number 260267 is CONSOLIDATED with the defendant-appellant's original appeal in docket number 247843. Defendant-appellant's appeal from the re-sentencing in docket number 261559 is DISMISSED as redundant; defendant-appellant may raise issues with respect to the re-sentencing in the original appeal in docket number 247843. See MCR 7.208(B)(5).

The motion to strike the prosecutor's brief on appeal in docket number 260267 is GRANTED. The prosecutor's brief is STRICKEN as premature. The brief may be re-filed in docket number 260267 after the transcript of the hearing held on November 10, 2004, has been filed with the trial court clerk.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 13 2005

Date

Sandra Schultz Mengel

Chief Clerk